Amendment dated November 3, 2008 Reply to Office Action of August 6, 2008

## AMENDMENTS TO THE CLAIMS

Docket No.: 80394(303227)

Claim 1 (currently amended): A beating appliance for cheering, comprising a body portion having a plurality of tubular members reduced in diameter from one end to the other end in the longitudinal direction and combined with each other so as to be extended/retracted,

wherein the tubular members adjacent to each other are brought into an extended state by connecting an inner peripheral surface of a large diameter side tubular member to an outer peripheral surface of a small diameter side tubular member in taper-stacked states, and brought into a retracted state by storing the small diameter side tubular member in order in a nested state into the large diameter side tubular member

wherein the inner and outer peripheral surfaces of the tubular members have either a projecting portion or a complementary recessed portion that fit to hold the beating appliance in an extended state, and

wherein each tubular member is a different shape.

Claim 2 (original): The beating appliance for cheering as recited in claim 1, wherein a head cap is fitted to one end of a maximum diameter tubular member, and an end member having a diametrically increased grip end is fitted to the other end of a minimum diameter tubular member.

Claim 3 (currently amended): The beating appliance for cheering as recited in claim 1, wherein a projecting portion or a recessed portion is formed on the inner peripheral surface of any the large larger diameter side tubular member;

a recessed portion or projecting portion corresponding to the projecting portion or recessed portion is formed on the outer peripheral surface of any the adjacent small smaller diameter side tubular member:

and

the extended state is held by a fit between the projecting portion and the recessed portion.

Claim 4 (previously presented): The beating appliance for cheering as recited in claim 1, wherein the retracted state of the body portion is held by locking one end of the minimum diameter tubular member by the head cap.

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Claim 5 (original): The beating appliance for cheering as recited in claim 4, wherein the head cap has a locking projecting portion projecting to the body portion, and the locking projecting portion and the minimum diameter tubular member are locked by screw-fitting the locking projecting portion to one end of the minimum diameter tubular member.

Claim 6 (previously presented): The beating appliance for cheering as recited in claim 1, wherein the retracted state is held by putting an end cap from the other end side in the retracted state of the body portion and locking the end cap to a maximum diameter tubular member.

Claim 7 (previously presented): A beating appliance for cheering composed by coupling two beating appliances for cheering as recited in claim 1 through a string.

Claim 8 (currently amended): The beating appliance for cheering as recited in claim 2, wherein a projecting portion or a recessed portion is formed on the inner peripheral surface of any the larger diameter side tubular member;

a recessed portion or projecting portion corresponding to the projecting portion or recessed portion is formed on the outer peripheral surface of <u>any</u> the adjacent <u>small smaller</u> diameter <u>side tubular</u> member;

and

the extended state is held by a fit between the projecting portion and the recessed portion.

Claim 9 (previously presented): The beating appliance for cheering as recited in claim 2, wherein the retracted state of the body portion is held by locking one end of the minimum diameter tubular member by the head cap.

Claim 10 (previously presented): The beating appliance for cheering as recited in claim 3, wherein the retracted state of the body portion is held by locking one end of the minimum diameter tubular member by the head cap.

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Claim 11 (previously presented): The beating appliance for cheering as recited in claim 8, wherein the retracted state of the body portion is held by locking one end of the minimum diameter tubular member by the head cap.

Claim 12 (previously presented): The beating appliance for cheering as recited in claim 2, wherein the head cap has a locking projecting portion projecting to the body portion, and the locking projecting portion and the minimum diameter tubular member are locked by screw-fitting the locking projecting portion to one end of the minimum diameter tubular member.

Claim 13 (previously presented): The beating appliance for cheering as recited in claim 3, wherein the head cap has a locking projecting portion projecting to the body portion, and the locking projecting portion and the minimum diameter tubular member are locked by screw-fitting the locking projecting portion to one end of the minimum diameter tubular member.

Claim 14 (previously presented): The beating appliance for cheering as recited in claim 8, wherein the head cap has a locking projecting portion projecting to the body portion, and the locking projecting portion and the minimum diameter tubular member are locked by screw-fitting the locking projecting portion to one end of the minimum diameter tubular member.

Claim 15 (previously presented): The beating appliance for cheering as recited in claim 2, wherein the retracted state is held by putting an end cap from the other end side in the retracted state of the body portion and locking the end cap to a maximum diameter tubular member.

Claim 16 (previously presented): The beating appliance for cheering as recited in claim 3, wherein the retracted state is held by putting an end cap from the other end side in the retracted state of the body portion and locking the end cap to a maximum diameter tubular member.

Claim 17 (previously presented): The beating appliance for cheering as recited in claim 8, wherein the retracted state is held by putting an end cap from the other end side in the

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retracted state of the body portion and locking the end cap to a maximum diameter tubular member.

Claim 18 (previously presented): A beating appliance for cheering composed by coupling two beating appliances for cheering as recited in claim 2 through a string.

Claim 19 (previously presented): A beating appliance for cheering composed by coupling two beating appliances for cheering as recited in claim 3 through a string.

Claim 20 (previously presented): A beating appliance for cheering composed by coupling two beating appliances for cheering as recited in claim 8 through a string.